

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Katy Allen  
Sara L. Hensley  
Larry D. Lisenbee

**SUBJECT:** SEE BELOW

**DATE:** 04-13-05

Approved



Date

5/5/05

Council District: 7

SNI: Washington

**SUBJECT: ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE SERVICES FOR REDEVELOPMENT CAPITAL PROJECTS FUND (CITYWIDE REDEVELOPMENT FUND) IN THE AMOUNT OF \$1,262,808 AND REPORT ON BIDS AND AWARD OF CONTRACT FOR THE BELLEVUE PARK PROJECT**

## RECOMMENDATION

- a) Report on bids and award of contract for the Bellevue Park Project to the low bidder, HRB Construction, Inc., for the base bid in the amount of \$1,067,464, and approval of a contingency in the amount of \$53,373.
- b) Adoption of the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Services for Redevelopment Capital Projects Fund (City-wide Redevelopment Fund):
  1. Increase the appropriation to the Public Works Department for Bellevue Park Master Plan (Design Phase) (PSM 246 #1) in the amount of \$1,262,808.
  2. Increase the estimate for Earned Revenue by \$1,262,808.
- c) Adoption of a resolution approving the Bellevue Park Project and incorporating environmental mitigation measures as set forth in the Mitigation Monitoring and Reporting Program for the project.

CEQA: Mitigated Negative Declaration PP03-09-289.

**BACKGROUND**

The Redevelopment Agency acquired the land and is providing funding for the construction of a neighborhood park in the Monterey Corridor Redevelopment Project Area. The approximately two acre park site is located on Bellevue Avenue, between Monterey Road to the east and Pomona Avenue to the west, and north of the Union Pacific Railroad right-of-way. The park will serve the residential neighborhood that begins on the north side of Bellevue Avenue (map attached).

The base bid scope of work for this project will construct a decorative water feature, swings and youth play equipment, turf areas for informal field games, picnic areas, shade trees, a restroom, site security lighting, and related street improvements.

In addition to the base bid scope of work there are four Add Alternate bid items as follows:

<u>Description</u>	<u>Engineer's Estimate</u>
Add Alternate No. 1: Two half basketball courts in lieu of turf	\$ 62,700
Add Alternate No. 2: Picnic area in lieu of turf	22,600
Add Alternate No. 3: Four tree guards and grates in lieu of DG	3,300
Add Alternate No. 4: Four shelter seats in lieu of benches	14,000

Construction is to begin in June 2005 with completion in May 2006.

**ANALYSIS**

Bids were opened on March 15, 2005 with the following results:

<u>Contractor</u>	<u>Base Bid Amount</u>	<u>Variance Amount</u>	<u>Over/ (Under) Percent</u>
Stevens Creek Quarry, Inc. (Cupertino)	\$1,284,500	\$294,000	30
Galeb Paving, Inc. (Saratoga)	1,243,774	253,275	26
Golden Bay Construction, Inc. (San Carlos)	1,193,881	203,381	21
Robert A. Bothman, Inc. (San José)	1,175,800	185,300	19
ESR Construction, Inc (San José)	1,165,600	175,100	18
O'Grady Paving, Inc. (Mountain View)	1,111,500	121,000	12

HONORABLE MAYOR AND CITY COUNCIL

04-27-05

Subject: Bellevue Park Project

Page 3

HRB Construction, Inc.	1,067,464	76,944	8	
(Fremont)				
<b>Engineer's Estimate</b>	<b>990,500</b>	<b>---</b>	<b>---</b>	
	Add Alt	Add Alt	Add Alt	Add Alt
<u>Contractor</u>	<u>No. 1</u>	<u>No. 2</u>	<u>No. 3</u>	<u>No. 4</u>
Stevens Creek Quarry, Inc.	\$51,000	\$20,000	\$3,300	\$14,000
Galeb Paving, Inc	54,000	34,000	5,400	19,000
Golden Bay Construction, Inc.	59,604	26,438	4,072	15,278
Robert A. Bothman, Inc.	72,000	22,000	7,000	23,000
ESR Construction	47,000	25,000	5,000	21,000
O'Grady Paving Inc.	25,000	20,000	5,000	23,000
HRB Construction, Inc.	187,315	174,236	162,845	168,187
<b>Engineer's Estimate</b>	<b>62,700</b>	<b>22,600</b>	<b>3,300</b>	<b>14,000</b>

The lowest bid submitted by HRB Construction, Inc., in the amount of \$1,067,464 is eight percent over the Engineer's Estimate. The bid is considered to be acceptable for the work involved in the project.

No add alternates are recommended for award due to the low bid being greater than the Engineer's Estimate and the excessively high bids from the low bidder for the add alternates.

Council policy provides for a standard contingency of five percent on public works parks projects. The standard contingency is appropriate for this project.

### OUTCOME

Award of the construction contract and approval of the contingency funding will enable development of Bellevue Park which is a priority improvement project within the Washington SNI area.

### PUBLIC OUTREACH

To solicit contractors, this project was listed on the City's Internet Bid Line and advertised in the *San José Post Record*. Bid packages for all Department of Public Works construction projects are provided to various contractor organizations and builder's exchanges.

### **COORDINATION**

This project and memo have been coordinated with the San José Redevelopment Agency, City Attorney's Office and the Departments of Planning, Building and Code Enforcement and General Services.

### **COST IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION: \$1,067,464

2. COST OF PROJECT:

Project Delivery	\$366,971
Construction	1,067,464
Contingency	<u>53,373</u>
<b>TOTAL PROJECT COSTS</b>	<b>\$1,487,808</b>

Prior Year Expenditures	(130,211)
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<b>REMAINING PROJECT COSTS</b>	<b>\$1,357,597</b>
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3. SOURCE OF FUNDING: 450 – Services for Redevelopment Capital Projects Fund
4. FISCAL IMPACT: This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy. The proposed operating and maintenance costs of this project have been reviewed and estimated to be approximately \$56,000 annually, beginning in June 2006. The appropriate budget addition request will be submitted through the standard City processes. In the event that these costs are incorporated within the existing park maintenance program, service levels of existing sites will be impacted.

**BUDGET REFERENCE**

Fund #	Appn. #	Appn. Name	Total Appn.	Amt. For Contract	2004-2005 Adopted Capital Budget (Page)	Last Budget Action (Date, Ord. No.)
<b>Remaining Project Costs</b>			<b>\$ 1,357,597</b>			
<b>Current Funding Available</b>						
450	6816	Bellevue Park PSM 246	\$95,192			10/12/04 Ord. No. 27267
<b>Total Current Funding Available</b>			<b>\$95,192</b>			
<b>Additional Funding Recommended</b>						
450	6816	Bellevue Park PSM 246	\$1,262,808	\$1,067,464		
<b>Total Funding for Remaining Project Costs</b>			<b>\$1,358,000</b>	<b>\$1,067,464</b>		

**CEQA**

Pursuant to the provisions of Title 21 of the Municipal Code, the Planning Director has issued a mitigated negative declaration for this project. The mitigated negative declaration identifies a number of mitigations that need to be implemented in order to address environmental impacts associated with this project. These mitigation measures and their manner of implementation are identified in the Mitigation Monitoring And Reporting Program (MMRP) for the project. These mitigations have been incorporated into the project design and the construction documents. As part of today's action, staff is requesting Council to approve these mitigations and their manner of implementation, as set forth in the Mitigation Monitoring and Reporting Program, and direct the implementation of these mitigations as part of the project.

Mitigation measures for the project include the following:

- Tree Removal – Each tree to be removed shall be replaced in accordance with the ratios listed in the MMRP.
- Cultural Resources – This project is in an archaeologically sensitive area so a qualified archaeological monitor shall be present during all ground-disturbing construction. As an alternative to this, a qualified archaeologist shall field test the site prior to construction to determine the presence/absence of cultural resources and the need to have an archaeologist present for all ground-disturbing construction activities.



04-27-05

**Subject: Bellevue Park Project**

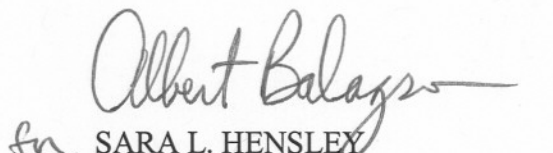
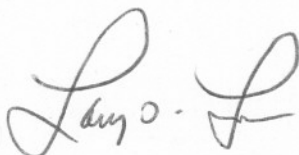
Page 6

- Hazardous Materials – A risk assessment will be prepared and procedures established before construction to address the identification, excavation, handling and disposal of hazardous materials.
- Water Quality – The construction documents shall include procedures to be implemented during demolition and construction to prevent storm water pollution and sedimentation.

A copy of the mitigated negative declaration, which describes the required mitigation measures, is attached.

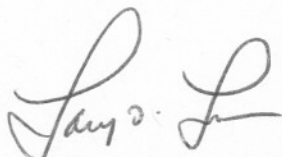


KATY ALLEN  
Director, Public Works Department

  
for, SARA L. HENSLEY  
Director, Parks, Recreation and  
Neighborhood Services Department

LARRY D. LISENBEE  
Budget Director

I hereby certify that there will be available for appropriation in the Services for Redevelopment Capital Projects Fund in Fiscal Year 2004-2005 monies in excess of those heretofore appropriated therefrom, said excess being at least \$1,262,808.



LARRY D. LISENBEE  
Budget Director

